

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**POWERTRAIN, INC., a Mississippi
corporation; TOOL MART, INC., a
Mississippi corporation; WOOD SALES
COMPANY, INC., a Mississippi
Corporation,**

Plaintiffs,

v.

**AMERICAN HONDA MOTOR CO., INC., a
California corporation,**

Defendant.

**AMERICAN HONDA MOTOR CO., INC., a
California corporation,**

Counterclaimant,

v.

**POWERTRAIN, INC., a Mississippi
corporation; TOOL MART, INC., a
Mississippi corporation; WOOD SALES
COMPANY, INC., a Mississippi
Corporation; BEST MACHINERY AND
ELECTRICAL, INC.; JOYCE MA,
Individually; PUMA CORPORATION or
PUMA INDUSTRIES, INC.; CHINA
NATIONAL ELECTRONICS IMPORT AND
EXPORT ZHEJIANG COMPANY; TONG
YONG ENGINE MADING, INC. OR
SHAOXING TONGYONG ENGINE MADING
COMPANY, INC. d/b/a TEBCO; XING YUE
GROUP; and ZHEJIANG EVER FINE
ELECTRIC APPLIANCE GROUP, LTD.,**

Counterdefendants.

Civil Action No.: 1:03CV668MD

**REQUEST FOR VOLUNTARY
DISMISSAL OF JOYCE MA'S
COUNTERCLAIMS FILED
AGAINST
COUNTERCLAIMANT
AMERICAN HONDA MOTOR
CO., INC.**

**REQUEST FOR VOLUNTARY DISMISSAL OF JOYCE MA'S COUNTERCLAIMS
FILED AGAINST COUNTERCLAIMANT AMERICAN HONDA MOTOR CO., INC.**

Pursuant to Federal Rule of Civil Procedure 41 (a)(2), individual counterclaimant Joyce Ma requests the Court enter dismissal of her counterclaims filed on her behalf of the counterclaims made against counterclaimant American Honda Motor Co., Inc. ("Honda") It is respectfully submitted to the Court that entering such a dismissal does not prejudice Honda in any manner as the counterclaimant Best Machinery & Electrical, Inc. ("Best") remains a counterclaimant, of which entity Joyce Ma continues as the discovery designee for the Best.

Honda has been named a defendant in this matter by Plaintiffs. Honda has responded to the Plaintiffs' complaint by filing a counterclaim naming among others, Best and Joyce Ma as an individual counterdefendant. In turn, Best and Joyce Ma, individually, filed a counterclaim against Honda, which has recently been amended (Document # 252-1).

It is respectfully submitted to the Court that this voluntary dismissal is well-taken and will not in any manner prejudice Honda. A proposed Order is attached hereto as Exhibit 1.

Dated: 30th day of June, 2006.

s/ Raymond Buendia
RAYMOND BUENDIA
Attorney for Joyce Ma and Best Machinery &
Electrical, Inc.

CERTIFICATE OF SERVICE

I, Raymond Buendia, the attorney for Counterdefendants, hereby certifies that I have served a true and correct copy of the above and foregoing REQUEST FOR VOLUNTARY DISMISSAL OF JOYCE MA'S COUNTERCLAIMS FILED AGAINST COUNTERCLAIMANT AMERICAN HONDA MOTOR CO., INC., electronic filing in the adversary proceedings on the following entities on the date subscribed below and as to those not on the electronic mailing list, mailing to the respective addresses occurred on the date below:

- **Matthew S. Bellinger**
msb@kmob.com drausa@kmob.com
- **Taylor A. Cates**
tacates@bpjlaw.com gcody@bpjlaw.com
- **John R. Chiles**
jchiles@burr.com cfalctmail@burr.com
- **Robert D. Gholson**
rgholson@burr.com
- **David E. Goodman**
dgoodman@bpjlaw.com
- **Eric Foster Hatten**
ehatten@burr.com
cfalctmail@burr.com, klowery@burr.com, c
mccann@burr.com
- **James E. King**
jking16@sbcglobal.net
wheelerlaw2@bellsouth.net
- **Steven J. Nataupsky**
sjn@kmob.com drausa@kmob.com

- **William H. Shawn**
wshawn@shawncoulson.com
- **Robert H. Walker**
rwalker@wellsmar.com
bnull@wellsmar.com
- **William Rufus Wheeler, Jr**
wheelerlaw@bellsouth.net
wheelerlaw3@bellsouth.net

▪

Douglas F. Halijan
BURCH, PORTER & JOHNSON
130 North Court
Memphis, TN 38103

Dated this 30th day of June, 2006.

s/Raymond Buendia
RAYMOND BUENDIA

EXHIBIT 1

ORDER

On application made by counterdefendant Joyce Ma for entry of dismissal of her counterclaim filed against American Honda Motor CO., Inc., the enters dismissal of said claims.

IT IS SO ORDERED.

DATED: _____, 2006

JUDGE OF THE DISTRICT COURT